

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

STADIUM CAPITAL, LLC, on behalf of itself  
and all others similarly situated,

Plaintiff,

-against-

CO-DIAGNOSTICS, INC., DWIGHT H.  
EGAN, and BRIAN L. BROWN,

Defendants.

22-cv-6978 (AS)

ORDER

ARUN SUBRAMANIAN, United States District Judge:

For the reasons stated on the record at the January 22, 2025 hearing:

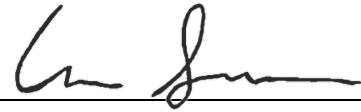
1. Defendants' motion to remove Stadium Capital as lead plaintiff and decertify the class (Dkt. 77) is DENIED.
2. Before **February 10, 2025**, Joseph Zicherman (the sole owner of Stadium Capital) will personally meet with plaintiffs' lead counsel in New York and review the specifics of this litigation. Lead counsel will also review with Mr. Zicherman a list of his obligations, given Stadium's Capital's role as lead plaintiff. Mr. Zicherman will sign a statement that outlines Stadium Capital's obligations as lead plaintiff and certifies that he understands these obligations and, on behalf of Stadium Capital, will abide by them. The signed statement will be filed with the Court no later than **February 11, 2025**.
3. Each month during the pendency of this litigation, plaintiffs' lead counsel will file a letter with the Court noting how many times counsel has met with Mr. Zicherman in the prior month, how long the discussion was, and generally what was discussed (without divulging any privileged information).
4. Before **February 10, 2025**, Mr. Zicherman will appear for a deposition in New York, NY. The deposition will occur in person, unless otherwise agreed, and at lead counsel's expense, not to be reimbursed from any class recovery in this case. The deposition will last no longer than four hours. Mr. Zicherman is expected to act in accordance with this Court's rule of civility at all times. If any issues arise during the deposition, the Court will intervene.
5. By **Wednesday, January 29, 2025**, plaintiffs will respond to defendants' outstanding discovery requests. If a dispute arises, the parties should promptly follow the dispute-resolution procedures outlined in this Court's individual practices.

6. As agreed at the hearing, if defendants elect to communicate a good faith settlement counteroffer to plaintiffs, then plaintiffs will promptly respond in kind with a good faith counterdemand.

The Clerk of Court is directed to terminate the motion at Dkt. 77.

SO ORDERED.

Dated: January 24, 2025  
New York, New York

A handwritten signature in black ink, appearing to read 'Arun Subramanian', is written over a horizontal line.

ARUN SUBRAMANIAN  
United States District Judge